

## **Meth Manufacture in Indiana**

- In 2005 in response to Governor Daniels' Meth Initiative and the rising seizure rate of clandestine methamphetamine labs in the state, Indiana passed its first law restricting the sale of Pseudoephedrine products.
- Pseudoephedrine (PSE) is the precursor drug needed to manufacture meth.
- Senate Enrolled Act 444 did the following:
  - Required PSE be sold from behind the counter, from a locked case or from a location under constant video surveillance.
  - Required completion of sales logs (paper or electronic) in a format approved by the Indiana State Police.
  - Restricted sales clerks from selling more than 3 grams of PSE in a single transaction
  - Restricted consumers from purchasing more than 3 grams of PSE in a week
- House Enrolled Act 1320 updated the law July 1, 2010
  - Mirrors sales restrictions to the federal Combat Methamphetamine Act
    - 3.6 grams can be sold in one day (maximum)
    - 9.0 grams can be sold in a 30 day period (maximum)
    - Sales limit signs must be posted in retail outlets selling the products
- To address the growing meth problem, the Indiana State Police created the Methamphetamine Suppression Section (MSS)
  - 20 full-time Meth enforcement personnel
    - Pro-actively investigate Meth crimes; such as,
      - Manufacture (#1 time consumer for MSS personnel)
      - Distribution
      - Interdiction
      - Full-time MSS personnel have drawn over 4,600 criminal cases from 2006 to 2009.
    - Educating stakeholders about Meth and Meth lab related safety issues
      - Public Safety Personnel
      - Probation
      - Community Organizations
      - Retailers selling PSE products
      - Full-time MSS investigators have provided over 1,300 public information programs on Meth from 2006-2009

- Creating partnerships
    - Other law enforcement agencies
    - Retailers selling PSE products – corporate partnerships
    - From 2006-2009 MSS personnel made over 6,800 retail outlets visits
    - Community Stakeholders
  - Coordinate free clandestine lab response services and training for police agencies state-wide
    - Historically ISP has processed 97% of all clan labs reported in Indiana
    - Federal reporting to the DEA’s clan lab seizure system
    - Annual 8 hour OSHA required re-certification training
    - Initial certification training
      - In March ISP sponsored a clan lab certification training for 40 state, local and county officers.
      - The training was free of charge for all attendees and their agencies.
      - This 40 hour course included housing and OSHA required personal protective equipment for the attendees.
  - MSS personnel assisted with crafting the drug endangered child protocols
    - MSS personnel have ensured over 500 children have been referred for services with DCS from 2006-2009
    - These referrals were from both meth lab homes and other dangerous environments children where children were residing
- Experience revealed that the paper logs were cumbersome and time consuming to:
  - Track meth cooks
  - Discern smurf groups
- Smurf definitions:
  - A person or group of people who go from store to store to store purchasing the maximum amount of PSE allowable in a single sale.
    - The single sale does not violate state statute but the combination of sales does violate the law.
    - The PSE is being diverted for the domestic production of meth.
    - Smurfs often use false IDs to purchase multiple times under multiple names, which can increase the occurrence of identity theft.

- Meth cooks recruit friends and family member who knowingly or unknowingly purchase PSE for the production of methamphetamine.
  - Cooks use homeless or those needing money as smurfs to purchase PSE
    - they are paid between \$20 and \$70 per box
    - the average in Indiana is \$50 per box
  - Many meth cooks prefer boxes of pseudoephedrine products over cash for “payment” for their meth.
    - A customer must bring a box or two of pills in exchange for meth.
    - The typical exchange rate is 1 box of PSE for ½ gram of meth.
- Due to the rise of meth lab seizures and PSE violation cases, the Indiana State Police and the Indiana Criminal Justice Institute partnered early on.
  - Extensive time was spent researching available technology from companies in Indiana and outside our borders to better gather, track and collate PSE sales information and other meth investigative leads.
  - The priority was to allow law enforcement investigating meth labs to be more efficient with all the information available
- Cooperatively, a Meth Investigation System was chosen for law enforcement in Indiana
  - ISP has launched the Indiana Methamphetamine Investigation System (IMIS)
  - The system was created by the Tennessee Meth Task Force for law enforcement use
  - The Tennessee Meth Task Force provides the software AT NO COST to any law enforcement agency requesting it
  - The system gathers the PSE sales data, federal clan lab seizure forms, community tips, law enforcement tips and a variety of other investigative leads
  - The software uses all the data and **targets** those smurf groups and individuals violating the law
  - The legitimate purchaser of PSE that stays within the legal purchasing limits are protected
    - Their information stays in a section of the database that is not searchable by law enforcement
    - The sales data is purged every two years as required by Indiana law
  - Web based program
  - Allows retailers to submit their PSE sales in a variety of formats – ALL FREE OF CHARGE with no necessary upgrades to existing web access
    - Secure web portal for real-time submission

- American Society for Automation in Pharmacy PSE standard
  - CSV text files
  - The only paper left is a federally required signature log kept by the retail outlet, which has no personally identifying information on it. This is only utilized if the retail outlet does not have an electronic signature capture device.
- All information is deemed law enforcement lead information.
- Additional investigative actions must be taken to validate the information contained in IMIS
- Access to the system will be available to law enforcement officer in all parts of the state FREE OF CHARGE
  - Must attend a training session held by ISP
  - Must sign a user agreement
  - Must complete on-line Bureau of Justice Assistance Intelligence System training
- What does ISP expect to be the results?
  - No tracking system is able to prevent meth labs
  - Our expectation is that we will actually seize more labs that exist in our communities because we are placing comprehensive meth investigative leads in the hands of law enforcement.
  - Meth cooks in our communities need to know law enforcement will be targeting them, and now have an excellent tool to make police officers much more efficient and focused in providing intelligence led policing in communities all over Indiana.
  - We will not be creating a safe haven for smurfs by notifying them of their purchase limits and allowing them to fall within the legal limits while recruiting other criminals and citizens to provide PSE products to cooks manufacturing this highly addictive, dangerous, and destructive drug. Law enforcement will have access to the tools in IMIS to efficiently track these violations and provide criminal investigative follow-up through all means available.